



City of Chicago
Richard M. Daley, Mayor

Department of Law

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VIA FACSIMILE (202-219-3923) and U.S. MAIL

September 19, 2006

Jeff S. Jordan, Esq.
Office of General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, DC 20463

Re: **MUR 5802**
City of Chicago Response

Dear Mr. Jordan:

I am responding to your August 31, 2006 letter, received by the City of Chicago (the "City") on September 7, 2006. The letter and its attachments relate to a complaint filed by Congressional candidate Kevin Edward White with the Federal Election Commission (the "FEC") against his November 2006 election opponent, Congressman Rahm Emanuel. Although mentioned in the complaint, the City of Chicago is not its target. Nevertheless, the FEC has provided the City with the opportunity to respond to Mr. White's allegations.

First and foremost, as mentioned above, Mr. White's FEC-related allegations are directed toward Congressman Emanuel, not toward the City. Mr. White questions the Congressman's reporting and tracking of campaign donations, claiming such issues may "give rise to claims for violations of federal campaign finance laws and regulations." August 3, 2006 Letter from Kevin Edward White to FEC Office of the General Counsel. In contrast, Mr. White does not claim that the City of Chicago has violated the Federal Election Campaign Act of 1971 in any way.

While Mr. White does not implicate the City in any FEC-related allegations, he does make reference to the alleged misuse of City of Chicago resources. See August 3, 2006 Letter from Kevin Edward White to U.S. Attorney Patrick J. Fitzgerald. These allegations and other allegations relating to City hiring are already under investigation by (and in a few cases, have been prosecuted by) the U.S. Attorney's Office for the Northern District of Illinois. The City has cooperated in the U.S. Attorney's Office's investigation and will continue to do so. Those City employees who were indicted and later convicted have been removed from or are appealing their removal from City employment.

Furthermore, although not fully defined by Mr. White, any alleged misuse of City of Chicago resources (e.g. the alleged awarding of City jobs or promotions based on political work) is contrary to the City's express policies. See *Shakman v. Democratic Organization of Cook County*, 569 F. Supp. 177, 187 (N.D. Ill. 1983) (outlining City consent decree, prohibiting the use of political

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FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL

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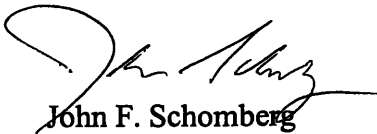


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activity as a factor in City's general hiring); CHICAGO MUN. ORD. § 2-74-090(C) (prohibiting offer of individual services "or other valuable consideration for any appointment, proposed appointment, promotion or proposed promotion, or any advantage in a position in the city service.").

We appreciate the opportunity to respond to Mr. White's complaint. While the City is not Mr. White's target and Mr. White has made no allegations against the City relating to the Federal Election Campaign Act of 1971, please let us know if the City can provide any further information or response.

Sincerely,



John F. Schomberg
Assistant Corporation Counsel

cc: Mara S. Georges, Corporation Counsel

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